



DEPARTMENT OF THE ARMY
UNITED STATES ARMY PHYSICAL DISABILITY AGENCY
BUILDING 7 WRAMC
WASHINGTON DC 20307-5001

FEB 28 2005

AHRC-DZB

MEMORANDUM FOR PHYSICAL EVALUATION BOARD PRESIDENTS

SUBJECT: Policy/Guidance Memorandum #9: Minimal Requirements for the Rationale on DA Form 199

1. Supersession: This memorandum supersedes USAPDA memorandum, 9 April 2002, subject above. There is no change in policy; the signature block is updated.
2. Purpose: To reinforce the requirements of DoD Instruction 1332.38 and AR 635-40 for adequate rationales for the findings and recommendations of physical disability evaluation.
3. Reference:
 - a. DOD Instruction 1332.38, Part 1, para E3.P1.3.4 (page 21, Record of Proceedings).
 - b. AR 635-40, 4-19L(1).
4. Policy:

 - a. The Physical Evaluation Board (PEB) must ensure that its findings and recommendations are supported by a preponderance of the evidence. See AR 635-40 glossary for definition of "preponderance of evidence." Also see para 3-1c.
 - b. Rationales must provide facts, excluding personal opinion, speculation or conjecture, that specifically support the findings and recommendations made. See AR 635-40, 3-2a(5) and D-8.
 - (1) When accepted medical principles are the basis for the finding and recommendations, cite the applicable accepted medical principle. See AR 635-40 glossary and DoDI 1332.38 definitions for accepted medical principles. See also para 4-19e(2).
 - (2) Variances between the Medical Evaluation Board (MEB) and the PEB findings concerning issues of retention standards, existing prior to service (EPTS), aggravation of injuries or illness, and/or degree of disability will be explained completely in Block 8 of DA Form 199.
 - (3) Data supporting the findings of unfitness and/or degree of disability utilized in the rationale will be cross referenced as to the source in the medical record, e.g., the MEB, Narrative Summary, present condition, photographs, etc. See AR 635-40, D-8b.

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5. Point of contact: Ms. Frances Dennis, Policy Officer, DSN 662-3064 and commercial (202) 782-3064.

FOR THE COMMANDER:

A handwritten signature in black ink, appearing to read "Dan L. Garvey", with a stylized flourish at the end.

DANIEL L. GARVEY
COL, AV
Deputy Commander

CF:
HQUSAPDA Senior Staff
DASG-HSP (COL Arroyo)
APDAB (COL Sutton)